

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.










22-CR-06058

MARK PHILLIPS,

Defendant(s).

PROTECTIVE ORDER

As part of discovery in this action, on May 11, 2022, the government provided counsel for the defendant with the following digital folders containing records that may be relevant to the prosecution of this matter:

	5/9/2022 3:01 PM	11 Kraken
	5/10/2022 1:36 PM	12 Coinbase received 010821
	5/9/2022 3:42 PM	14 T-Mobile US Inc
	5/9/2022 3:42 PM	129 Gemini Trust
	5/9/2022 3:42 PM	130 Kraken
	5/9/2022 3:42 PM	412 Canandaigua National Bank
	5/9/2022 3:41 PM	636 Coinbase
	5/9/2022 3:42 PM	637 Gemini Response
	5/9/2022 3:42 PM	638 Kraken

The government has requested a protective order limiting the dissemination of this material on the grounds that the material contained within these folders contains personal information, to include names, dates of birth, and addresses of third parties, who are not involved in the prosecution of this matter. Based on the size and amount of data provided, it is not feasible to manually redact this information from the discovery.

NOW, upon motion upon agreement of the parties, it is hereby

ORDERED, that the material set forth above shall be used by counsel for the defendant and the defendant solely in connection with pretrial, trial or other proceedings in this action, including any appeals, shall not be disclosed to the public, and shall not be disclosed to third parties by counsel or the defendant except as necessary in connection with pretrial proceedings, trial preparation or other proceedings in this action; and it is further

ORDERED, that copies of the material set forth above shall not be provided to third parties except those persons or entities employed or engaged for the purpose of assisting in the defense of this action; and it is further

ORDERED, that copies of the material set forth above shall not be provided to the defendant absent further order of the Court; and it is further

ORDERED, that if counsel for the defendant provides the defendant with access to the above material, counsel shall ensure that the defendant does not have access to a cellular telephone or any other photographic or video- or audio-recording equipment during such review; and it is further

ORDERED, that the unauthorized copying, dissemination, and/or posting of copies, or the contents, of the above material on the internet or through any form of social media shall constitute a violation of the terms of this order; and it is further

ORDERED, that counsel for the defendant or the defendant may apply to the Court for an order specifically permitting public disclosure of the above mentioned material; and it is further

ORDERED, that at the conclusion of the litigation of this action, including any direct appeal, counsel for the defendant and the defendant shall return all copies of the above mentioned material to the government immediately upon request of the government.

DATED: Rochester, New York, May 11, 2022



HONORABLE MARIAN W. PAYSON
United States Magistrate Court Judge